NONPRECEDENTIAL DISPOSITION
To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

Submitted March 22, 2024*
Decided March 29, 2024

Before

MICHAEL Y. SCUDDER, *Circuit Judge*

THOMAS L. KIRSCH II, *Circuit Judge*

JOHN Z. LEE, *Circuit Judge*

No. 23-1596

JIMMY BOYD,
Plaintiff-Appellant,

v.

TODD SHEFFLER, et al.,
Defendants-Appellees.

Appeal from the United States District Court for the Central District of Illinois.

No. 20-3024

Sara Darrow,
Chief Judge.

* We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

O R D E R

Jimmy Boyd, an Illinois prisoner, sued four correctional officers and a grievance examiner under 42 U.S.C. § 1983 for allegedly violating his rights under the First and Eighth Amendments, asserting that they retaliated against him for filing a grievance, hindered his ability to litigate a habeas corpus action, and were deliberately indifferent to his serious medical needs during a hunger strike. The district court denied Boyd's motion for partial summary judgment and granted the defendants' motion for summary judgment. Boyd appeals, arguing that the district court overlooked factual admissions in the defendants' answer. We affirm.

On February 13, 2018, Lieutenant Todd Sheffler, a correctional officer, escorted Boyd from the healthcare unit to segregation at Western Illinois Correctional Center. There, Sheffler and Keenan Smith, another correctional officer, searched Boyd's clothing and discovered a razor blade concealed in his pocket. Despite insisting that the razor blade was not his, Boyd received a disciplinary report. (The report was later expunged.) Later that day, Boyd declared he was going on a hunger strike, which lasted four and a half days. When Boyd was released to his regular housing unit, he discovered that some of his personal property, including a typewriter, was damaged or missing. Legal documents related to his ongoing habeas corpus action were also missing. Boyd blamed Sheffler for the loss of his personal property.

Boyd sued in district court after exhausting his administrative remedies. The district court screened Boyd's complaint under 28 U.S.C. § 1915A and issued a case management order in accordance with local rules. *See* C.D. ILL. R. 16.3(C). The court determined that Boyd stated claims against Sheffler, Smith, and three prison officials under the First Amendment for retaliation and denial of access to the courts and under the Eighth Amendment for deliberate indifference. After the defendants filed an answer that denied all of the claims identified in the case management order, *see* C.D. ILL. R. 16.3(E)(2), Boyd amended his complaint to add factual allegations. The district court instructed that the case would proceed on the same claims it previously identified, and the defendants again filed an answer that consisted of a general denial.

After discovery, the parties filed cross-motions for summary judgment. In his motion, Boyd argued that he was entitled to judgment because the defendants had admitted the factual allegations in the amended complaint by failing to respond to them specifically. *See* FED. R. CIV. P. 8(b)(6). The district court rejected this argument and then ruled that Boyd presented no evidence based on which a reasonable jury could find that the defendants knowingly retaliated against him for protected speech, hindered his

ability to litigate his habeas petition, or were deliberately indifferent to a serious medical need arising from the hunger strike. The court therefore denied Boyd's motion for partial summary judgment and entered summary judgment for the defendants.

On appeal, Boyd does not contest the district court's conclusion that he did not support his claims with sufficient evidence to withstand summary judgment. Instead, he primarily argues that the court should have granted his motion for partial summary judgment solely because Sheffler and Smith "admitted" allegations in the amended complaint that, Boyd says, demonstrate their liability.

But Sheffler and Smith adequately denied the allegations in Boyd's amended complaint. In its local rules, the Central District of Illinois specifies the requirements for an answer to a prisoner's pro se complaint. *See* FED. R. CIV. P. 83(a)(1) (empowering district courts to enact local rules that are consistent with federal law and rules of practice). In civil rights cases filed by prisoners, the local rules provide that "defendant[s] need not parse the complaint and respond to it" and must answer only "the issues stated in the Case Management Order accompanying the process and complaint, if such an order is entered." C.D. ILL. R. 16.3(E)(2). Although Boyd asserts that Sheffler and Smith failed to deny, and thus admitted, the additional facts in his amended complaint, *see* FED. R. CIV. P. 8(b)(6), they complied with the local rule by answering only issues the district court identified. Moreover, federal pleading rules allow a general denial, *see* FED. R. CIV. P. 8(b)(3), so the form of their answer was proper.

Boyd fares no better on his similar argument about his motion for partial summary judgment. He contends that it was unopposed—and he should have prevailed—because Sheffler and Smith never responded to it. But his premise is factually incorrect. The record shows that, on December 21, 2022, the defendants filed their "response in opposition to plaintiff's motion for partial summary judgment" separately from the cross-motion, supporting brief, and proposed statement of material facts they filed the same day. Boyd is correct that the latter materials do not mention his motion, but the defendants' separate response establishes that his motion was not unopposed. And in any event, because summary judgment is proper only when the moving party is entitled to judgment as a matter of law, *see* FED. R. CIV. P. 56(a), a district court cannot grant a summary judgment motion simply because it is unopposed, *see Marcure v. Lynn*, 992 F.3d 625, 631 (7th Cir. 2021).

AFFIRMED